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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 00-100

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

In SECTION 17, s. RL 34.04 (2) (a) should be renumbered par. (a) (intro.) and amended. This should be done in a separate SECTION from the amendment of s. RL 34.04 (2) (intro.).

4. Adequacy of References to Related Statutes, Rules and Forms

a. In s. RL 30.01 (10g), the cite to s. 922.39 (22), Stats., is incorrect and should be to s. 939.22 (22), Stats.

b. In s. RL 31.035 (1) (b), the reference to sub. (5) should be to sub. (4).

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In the analysis of the rule, it appears that the references to s. 440.26 (1) (b) and 440.974 (2), Stats., as statutes authorizing promulgation, and the reference to s. 440.974 (2), Stats., as a statute interpreted, are inaccurate and should be deleted.

Also in the analysis, it would be helpful to state at the beginning of the description that the rules affected apply to private security personnel so that there is a context for the changes to the rules that are listed.

In the description of SECTION 9 in the analysis, “as assessment report” should be replaced with “an assessment report.” Also, “and who are addicted to alcohol” should be replaced with “or who are addicted to alcohol.”

Finally, in the description of SECTIONS 17, 18 and 19, “SECTIONS 17, 18 and 19 permits” should be replaced with “SECTIONS 17, 18 and 19 permit” and the hyphenated phrases should not be hyphenated.

b. In s. RL 31.03 (4), “provided that” should be replaced with “if.” Also, it makes more sense to have the text in sub. (4) immediately follow sub. (1) since it relates to a requirement of that subsection. These comments also apply to ss. RL 31.035 (4), 31.0365 (5) and 34.04 (7).

c. In s. RL 31.05 (1) (intro.), “reasons” should be inserted at the end of the sentence.

d. Section RL 31.05 (2) does not appear to create an effective mechanism for ensuring that private security personnel do not have mental or emotional conditions that affect their ability to act as security personnel. It would make more sense to create a reason that a credential may be denied that relates to debilitating mental or emotional conditions. Can sub. (2) be reworded and included as a paragraph under sub. (1)?

e. In ch. RL 33, is there a distinction between private detectives and private security persons? If not, one term should be used consistently. If there is a difference, that should be clarified.

f. In s. RL 34.01 (4), “provided that” should be replaced with “if.”

g. In s. RL 34.02 (1), “~~sem-automatic~~” should be replaced with “~~semi-automatic~~.”

h. In s. RL 34.04 (6), “application” should be replaced with “applicant.”